

House Study Bill 741

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
NATURAL RESOURCES BILL
BY CHAIRPERSON BELL)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the donation of food to the department of
2 natural resources.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 6491HC 82
5 jr/nh/5

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1 1 Section 1. Section 672.1, subsection 2, Code 2007, is
1 2 amended to read as follows:
1 3 2. A gleaner, or a restaurant, food establishment, food
1 4 service establishment, school, manufacturer of foodstuffs,
1 5 meat or poultry establishment licensed pursuant to chapter
1 6 189A, or other person who, in good faith, donates food to a
1 7 charitable or nonprofit organization for ultimate free
1 8 distribution to needy individuals, or to the department of
1 9 natural resources for use in an interpretive educational
1 10 display, is not subject to criminal or civil liability arising
1 11 from the condition of the food if the donor reasonably
1 12 inspects the food at the time of the donation and finds the
1 13 food fit for human consumption. The immunity provided by this
1 14 subsection does not extend to a donor or gleaner if damages
1 15 result from the negligence, recklessness, or intentional
1 16 misconduct of the donor, or if the donor or gleaner has, or
1 17 should have had, actual or constructive knowledge that the
1 18 food is tainted, contaminated, or harmful to the health or
1 19 well-being of the ultimate recipient.

1 20 EXPLANATION
1 21 Code chapter 672 provides limited liability for persons who
1 22 donate food for free distribution to the needy, if the donor
1 23 reasonably inspects the food at the time of the donation and
1 24 finds the food fit for human consumption. This bill extends
1 25 that protection to persons who donate food to the department
1 26 of natural resources for use in an interpretive educational
1 27 display.
1 28 LSB 6491HC 82
1 29 jr/nh/5